IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

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F.A.O. No. 795 of 1990.

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Rohtash son of Dalip Singh, resident of Village Rudh, Tehsil Bawal, District Mohindergarh.

Versus

1. Rameshwar Dayal son of Gyarsi; 2. Gyarsi son of Mukh Ram, 3. Rajbir (Driver) and 4. Subhash, sons of Gyarsi owner of Tractor No.HYM-2464, all residents of Village Ransi Majri, Tehsil Bawal, District Mohindergarh 5. United Insurance Company Limited, Narnaul, District Mohindergarh.

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Present: Shri B.S.Rana, Advocate, for the claimant.

Shri A.K.Verma, Advocate, for respondents No. 1 to 4.

Shri S.S.Aulakh, Advocate, for respondent No.5.

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R.S.Madan, J (ORAL)

The learned Motor Accident Claims Tribunal, Rewari, while disposing of MACT Case bearing No.150 of 1990, passed an award dated 06.09.1990 in favour of the claimant for a sum of Rs.8000/- with respect to damage caused to Jeep No. RNI-4944 in the accident.

2. Aggrieved by the inadequate compensation awarded by the Tribunal, the claimant has filed the present FAO No. 795 of 1990 for enhancement of the compensation for the damage caused to his vehicle.

3. The learned Tribunal was gracious enough to award an amount of Rs.8000/- to the appellant on the basis of receipt Mark -“A”, whereby a sum of Rs.18,800/- has been shown to have been spent on repair of Jeep. The learned Tribunal itself has observed in the award about the receipt Mark “A” wherein the number of the Jeep has not been mentioned and that the same has not been proved by examining the witness who had issued the receipt. Since the receipt Mark “A” has not been proved on the record, therefore, the appellant is not

entitled to any enhancement in the amount of compensation with respect to the damage caused to the Jeep.

As a result, there is no merit in this appeal and the same is hereby dismissed, leaving the parties to bear their own costs.

(R.S.MADAN)
JUDGE

August 09, 2006.
Malik